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PATENT

Customer No. 22,852

Attorney Docket No. 05394.0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
| Stewart et al. |) | Group Art Unit: Not assigned |
| Application No.: 10/505,405 |) | Examiner: Not assigned |
| Filed: August 24, 2004 |) | |
| For: DELETED SEQUENCE IN M. TUBERCULOSIS, METHOD FOR DETECTING MYCOBACTERIA USING THESE SEQUENCES AND VACCINES |) | Confirmation No.: Not assigned |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. The attached documents were cited in the International Search Report in the corresponding PCT application No. PCT/IB03/009864 filed March 13, 2003, the European Search Report in the corresponding European application No. EP 02 290 458.5, filed February 24, 2002, as well as in this application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 8, 2004

By: 

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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|-------|---|----|---|------------------------|------------------|
| Sheet | 1 | of | 4 | Application Number | 10/505,405 |
| | | | | Filing Date | August 24, 2004 |
| | | | | First Named Inventor | Stewart Cole |
| | | | | Art Unit | Not assigned |
| | | | | Examiner Name | Not assigned |
| | | | | Attorney Docket Number | 05394.0020-00000 |

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

| zExamine r Initials | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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| Examiner Initials | Cite No. ¹ | Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
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| | | PCT WO 00/55362 | September 21, 2000 | COLE ET AL. | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
|----------------------|--------------------------|---|--------------------------|
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| | | European Search Report in the corresponding European application No. EP 02 290 458.5, filed February 24, 2002 | |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 4

Application Number 10/505,405
 Filing Date August 24, 2004
 First Named Inventor Stewart Cole
 Art Unit Not assigned
 Examiner Name Not assigned
 Attorney Docket Number 05394.0020-00000

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(Use as many sheets as necessary)

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| Sheet | 3 | of | 4 | Application Number | 10/505,405 |
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| | | | | First Named Inventor | Stewart Cole |
| | | | | Art Unit | Not assigned |
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Complete if Known

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| Examiner Signature | | Date Considered | |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.